

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
SEPTEMBER 21, 2010

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on September 21, 2010, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Deputy County Attorney Rachelle Ehlert, County Administrator Dean Cox, and Deputy County Clerk Christine Hall.

The Spectrum was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the regular agenda.

- Consideration of Auditor Approved Claims for Payment for September 8, 2010, through September 21, 2010
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement (4)
MaryAnn Charter, Serial No. W-C-ME-A-1-24; John and Elizabeth Dellorso, Serial No. LV-ZVES-2-56; Marsha Navar, Serial No. SG-SCF-7-706; and Alicia Williams, Serial No. SG-SAC2-1-6

ACTIONS OF THE WASHINGTON COUNTY PLANNING COMMISSION
MEETING / 09-14-10

Conditional Use Permit Extension: Review progress on exceptions to height limitations and installation of a second 196-foot steel lattice tower at the BLM Blackridge site, within the OSC zone, off I-15 at Exit 36. Verizon Wireless, applicant.

The Planning Commission unanimously recommended approval, subject to the County's receiving a copy of the information regarding lighting from the FAA, for a period of one (1) year.

Conditional Use Permit Extension: Review progress in establishing a private recreation area and facilities on 30.06 acres within the FR-5 (Forest Residential 5 acres)

zone, generally located south of Pine Valley Townsite. Lester Wittwer Investment Co./Shane Wittwer, applicant.

The Planning Commission unanimously recommended approval for a period of one (1) year.

Conditional Use Permit Extension: Request permission for endurance mountain bike racing, "Frog Hollow Event," on Sheep Bridge Road, generally located between Virgin and Highway 59, east of Hurricane, October 9, 2010, six-hour event and November 6 and 7, 2010, twenty-four hour event, a portion within the County unincorporated area. GRO-Promotions, LLC/Cimarron Chacon, applicant.

The Planning Commission unanimously recommended approval subject to the applicant's providing the County with a copy of its liability insurance.

Conditional Use Permit Extension: Review extension on a sales office for the Kolob Ranch Development on the west side of the freeway at the Kolob Exit off I-15. Kolob Development, Inc./Robert Anderson, applicant.

The Planning Commission unanimously recommended approval for a period of one (1) year.

Conditional Use Permit: Request permission to build the Gunlock Filter Station generally located one mile south of the Gunlock Reservoir. Washington County Water Conservancy District/ Doug Wilson, applicant.

The Planning Commission unanimously recommended approval for a period of one (1) year subject to the applicant's obtaining an encroachment permit.

MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

SPECIAL REPORT BY WENDY SANDBERG / WASHINGTON COUNTY FAIR 2010:

Fair Director Wendy Sandberg reported that the 2010 Fair was very successful. Attendance was about forty thousand (40,000) people, the same as last year, and was probably negatively impacted by the beginning of school, which occurred prior to the Fair. Next year, school will start after the Fair. There were entries from every single city

in the County, twenty percent (20%) of which were new entries this year. Commercial booths were sold out, and carnival revenue was up approximately two thousand dollars (\$2,000.00). Events on Thursday night were poorly attended, probably because of school, but the Demolition Derby was sold out and was a big hit. Ms. Sandberg expressed appreciation to the County for its support, and Commissioner Drake, who sits on the Fair Board, said that Wendy does a wonderful job each year.

EMERGENCY SERVICES REPORT / CORY PULSIPHER

Lt. Cory Pulsipher of the Washington County Sheriff's Office reported three (3) Search and Rescue call-outs since last month: (1) stranded hikers in Snow Canyon State Park; (2) a medical assist, also in Snow Canyon; and (3) a runaway juvenile from one of the wilderness groups. A total of thirty-nine (39) members responded with a total of ninety-four (94) man-hours donated.

PURCHASE REQUESTS: NONE

CONSIDERATION OF RESOLUTION NO. R-2010-1484, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT BETWEEN VALUE ADDED COMMUNICATIONS AND WASHINGTON COUNTY TO PROVIDE A TELECOMMUNICATION SYSTEM FOR INMATES AT THE PURGATORY CORRECTIONAL FACILITY UNDER THE TERMS OF THE INMATE COMMUNICATIONS SYSTEM/SERVICE #AR500 STATE CONTRACT, AND TERMINATING THE PRESENT AGREEMENT BETWEEN VALUE ADDED COMMUNICATIONS AND WASHINGTON COUNTY

Washington County Sheriff's Office Deputy Chief Jake Schultz explained that this new inmate phone system contract with Value Added Communications (VAC) replaces the old joint contract using VAC software and Inmate Communication System (ICS) hardware. The new contract is in conjunction with the Department of Corrections' state contract and is expected to increase the Sheriff's Office's commission on the phone system from forty-six percent (46%) to fifty-five percent (55%). Based on projections from the previous twelve (12) months, this would yield approximately an additional thirty-three thousand dollars (\$33,000.00).

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1484, A Resolution Approving The Execution Of An Agreement Between Value Added Communications And Washington County To Provide A Telecommunication System For Inmates At The Purgatory Correctional Facility Under The Terms Of The Inmate Communications System/Service #AR500 State Contract, And Terminating The Present Agreement Between Value Added Communications And Washington County. Motion seconded by

Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1485, A RESOLUTION AMENDING THE ALLOCATION BY WASHINGTON COUNTY TO PARKE COX TRUCKING COMPANY, INC. ("PCT") OF WASHINGTON COUNTY'S RECOVERY ZONE FACILITY BOND ALLOCATION RECEIVED PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM UP TO \$3,350,000 TO UP TO \$3,800,000 FOR THE PURPOSE OF ALLOWING WASHINGTON COUNTY TO ISSUE RECOVERY ZONE FACILITY BONDS TO CONSTRUCT A NEW FACILITY/BUILDING FOR PCT TO EXPAND OPERATIONS IN THE FORT PIERCE INDUSTRIAL PARK, AND AMENDING THE TIME DEADLINE FOR PCT TO FINANCE THE BOND ALLOCATION

Chairman Eardley reiterated that this item does not represent money that Washington County is providing to PCT; rather, these Recovery Zone Facility Bonds allow Washington County to offer local companies a favorable interest rate in securing financing for business projects.

Greg Mathis, architect with MRW Design, is working with Parke Cox Trucking Company, Inc. (PCT) on its expansion project. It is a large project and represents a huge investment for PCT, so PCT and MRW are taking the time necessary to ensure a successful result. It is anticipated that preliminary plans and budget will be submitted to the bank on September 28, 2010; the bank then needs four (4) weeks to prepare its letter of commitment. Groundbreaking and a grading permit are expected approximately Nov. 23, 2010.

Administrator Dean Cox mentioned that a previous applicant for Recovery Zone Bond Allocation Funds, Sunset Corner Properties, withdrew from the process, and that money has reverted back to the State of Utah.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1485, A Resolution Amending The Allocation By Washington County To Parke Cox Trucking Company, Inc. ("PCT") Of Washington County's Recovery Zone Facility Bond Allocation Received Pursuant To The American Recovery And Reinvestment Act Of 2009 From Up To \$3,350,000 To Up To \$3,800,000 For The Purpose Of Allowing Washington County To Issue Recovery Zone Facility Bonds To Construct A New Facility/Building For PCT To Expand Operations In The Fort Pierce Industrial Park, And Amending The Time Deadline For PCT To Finance The Bond Allocation. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1486, A RESOLUTION AMENDING THE FEES FOR SERVICES FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE

Deputy Chief Schultz requested Commission approval to include a fee for service of civil process at the Washington County Sheriff's Office.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1486, A Resolution Amending The Fees For Services For The Washington County Sheriff's Office. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1487, A RESOLUTION APPOINTING TWO (2) BOARD MEMBERS TO THE ANGEL SPRINGS SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1487, A Resolution Appointing M. J. Crystal and Dan E. Dodds To The Angel Springs Special Service District Administrative Control Board. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1488, A RESOLUTION APPROVING THE EXECUTION OF AN AMENDMENT TO THE PERIMETER SECURITY AND BAILIFF SERVICES AGREEMENT BETWEEN THE STATE OF UTAH AND WASHINGTON COUNTY FOR FISCAL YEAR 2011

Chairman Eardley said that this contract, principally for Juvenile Court judges, has been renegotiated with the State of Utah. Lt. Pulsipher said that the revenue will not cover the entire expense for the additional bailiffs at the Fifth District Courthouse but will help defray some of the cost.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1488, A Resolution Approving The Execution Of An Amendment To The Perimeter Security And Bailiff Services Agreement Between The State Of Utah And Washington County For Fiscal Year 2011. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1489, A RESOLUTION APPROVING THE EXECUTION OF THE STATEWIDE MEMORANDUM OF AGREEMENT FOR THE SPECIAL NEEDS REGISTRY

Emergency Services Director Pete Kuhlmann explained that the Special Needs Registry provides emergency and law-enforcement personnel with critical information about disabled citizens who may be especially at risk during an emergency situation in the County. Citizens can go onto the State's data base and complete necessary information to enable emergency personnel to assist them.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1489, A Resolution Approving The Execution Of The Statewide Memorandum Of Agreement For The Special Needs Registry. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1490, A RESOLUTION APPOINTING A MEMBER TO THE COUNCIL ON AGING ADVISORY BOARD

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2010-1490, A Resolution Appointing Donna L. Taylor To The Council On Aging Advisory Board. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2010-1491, A RESOLUTION REQUESTING THE RECERTIFICATION OF THE WASHINGTON COUNTY JUSTICE COURT

Recertification of the Washington County Justice Court is a process that occurs every four (4) years.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2010-1491, A Resolution Requesting The Recertification Of The Washington County Justice Court. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead requested Commission approval to release warranty bonds for two (2) subdivisions, as follows:

- North Valley Ranches, Phase 3, in the amount of \$225,274.40
- Willow Creek, near Pine Valley, in the amount of \$49,861.68

MOTION: Motion by Commissioner Gardner to Release Warranty Bonds for North Valley Ranches, Phase 3, in the amount of \$225,274.40; and Willow Creek, in the amount of \$49,861.68. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

Mr. Cox said that there is a small piece of land near the new interchange at the Dixie Center that the County and St. George City jointly own. In connection with the construction of that new interchange there are five (5) Partial Terminations of Lease requiring County authorization to sell this property to the Utah Department of Transportation (UDOT).

MOTION: Motion by Commissioner Gardner to Authorize Washington County to Release the Five (5) Partial Terminations of Lease to the Utah Department of Transportation (UDOT), as referred to above. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4: 46 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN